

## REMARKS

The last Office Action of May 24, 2004 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 2-8 are pending in the application. Claim 18 has been added. A total of 9 claims is now on file. No fee is due.

It is noted that the drawings are objected to because of applicant's failure to show every feature set forth in the claims. A drawing proposal showing the required change is submitted herewith together with a communication to the draftsman.

Claims 3-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Japanese publication no JP 09273266A (hereinafter JP '266) in view of U.S. Pat. No. 6,042,891 to Crossingham et al..

It is noted with appreciation that claim 2 is indicated allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Record is made of an interview between applicant's representative and the Examiner which took place on September 7, 2004. The Examiner is thanked for his help and assistance as well as for the courtesies extended to Counsel at that time. During the course of the interview the present application was extensively discussed, and as a result, applicant now submits this response to place the application in formal condition for allowance.

## **OBJECTION TO THE DRAWING**

Applicant submits herewith a replacement sheet, showing changes to Figs. 1d and 1e. More specifically, applicant amended Figs. 1d, 1e to depict by way of arrows the two pressing operations offset to one another by 90°. The specification has been amended to make it consistent with the amendments to the drawing. No new matter has been added.

The requirement to show the rod as threaded has been withdrawn by the Examiner. Reference is made to the Interview Summary Report, mailed September 9, 2004.

Withdrawal of the objection to the drawing is thus respectfully requested.

## **REJECTION OF UNDER 35 U.S.C. §103(a)**

Applicant respectfully disagrees with the Examiner's rejection of claim 4 for the following reason:

Applicant submits that JP '266 fails to disclose a two-step pressing process, as set forth in claim 4, on file, because the pressing members of JP '266' are configured with semi-circular cavities, whereby one pressing member is stationary and the other pressing member is movable. As the moveable pressing member travels toward the fixed pressing member, the holding member is formed into a round configuration in a single pressing operation by the fully embracing cavities of the pressing members. There is no teaching or suggestion to provide two pressing operations at 90° offset relationship nor is there any reason or feasibility to undertake such pressing

operations, especially in light that one pressing member in JP '266 is stationary.

The Examiner agreed that the subject matter of the present invention may appear distinguishable over the applied prior art, but further consideration and updated search are needed.

Applicant further submits herewith a new claim 18 which is a combination of claim 1, as amended in applicant's response of November 17, 2003 to the first Office Action, mailed August 15, 2003, and original claim 2. Claim 2 has been indicated allowable in the Examiner's Office Action of January 30, 2004, issued in response to applicant's preceding response of November 17, 2003. Accordingly, claim 18 should be allowable.

For the reasons set forth above, it is applicant's contention that JP '266 neither teaches nor suggests the features of the present invention, as recited in claim 4.

As for the rejection of the retained dependent claims 2, 3, 5-8, these claims depend on claim 4, share its presumably allowable features, and therefore it is respectfully submitted that these claims should also be allowed.

Withdrawal of the rejection of claims 3-8 under 35 U.S.C. §103(a) and allowance of claims 2-8 and 18 are thus respectfully requested.

#### **CITED REFERENCES**

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the newly submitted claims. It is thus felt that no specific discussion thereof is necessary.

## CONCLUSION

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

By: 

Henry M. Feiereisen  
Agent For Applicant  
Reg. No: 31,084

Date: September 15, 2004  
350 Fifth Avenue  
Suite 4714  
New York, N.Y. 10118  
(212)244-5500  
HMF:af

## **AMENDMENTS TO THE DRAWINGS WITHOUT MARKINGS**

### **IN THE DRAWING:**

Figs. 1d and 1e have been amended.



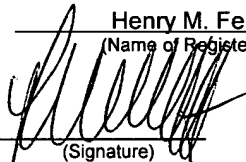
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: SCHMITT-13

In re Application of:	)
JAKOB SCHMITT	)
Appl. No.: 10/047,486	) Examiner: Cozart, Jermie E
Filed: January 14, 2002	) Group Art Unit: 3726
For: METHOD FOR SECURING A ROD-SHAPED	)
PART IN A HOLDING MEMBER, A	)
THREADED ROD AND USE THEREOF	)

COMMUNICATION TO THE DRAFTSMAN

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
S I R:

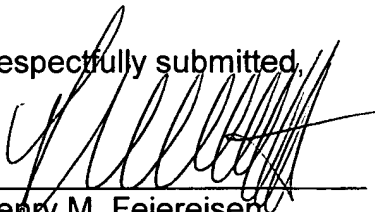
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on <u>September 15, 2004</u> .	
(Date)	
Henry M. Feiereisen	
(Name of Registered Representative)	
	9-15-2004
(Signature)	(Date of Signature)

Enclosed please find drawing proposal Figs. 1d, 1e for approval by the Examiner. The drawing proposal Fig. 1d, 1e is submitted in response to the drawing objections set forth in the office action, dated May 24, 2004, and show the requested subject matter of claims.

Approval of the indicated drawing changes by the Examiner is respectfully requested.

Respectfully submitted,

By:

  
Henry M. Feiereisen  
Agent For Applicant  
Reg. No: 31,084

Date: September 15, 2004  
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Suite 4714  
New York, N.Y. 10118  
(212)244-5500  
HMF:af